

Bill Addresses Death on the High Seas Act, Other Legal Liability Issues Arising from BP Oil Catastrophe

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WASHINGTON, DC — Today, the U.S. House Judiciary Committee passed legislation introduced by Chairman John Conyers, Jr. (D-Mich.) and Congressman Charlie Melancon (LA-03) addressing legal liability issues arising from the BP oil disaster, including reform of the *Death on the High Seas Act*

. The committee passed HR 5503, the “Securing Protections for the Injured from Limitations on Liability Act” (SPILL Act), by a vote of 16-11, preparing the legislation for a vote by the full House of Representatives.

“BP and Transocean should not be allowed to hide behind a 90-year-old law to avoid being held accountable for the harm their negligence has caused the families of the Deepwater victims,” said Rep. Melancon. **“The SPILL Act will reform current law so the Deepwater families can get the justice they deserve. Companies that put profits before the safety of their workers must be held fully responsible for the pain they cause.”**

In a Congressional hearing earlier this month in Chalmette, Congressman Melancon heard testimony from the widows of two workers who lost their lives in the Deepwater Horizon explosion. The widows urged Congress to reform the *Death on the High Seas Act*, a 90-year-old law that limits the amount of damages survivors can recover for the deaths of family members killed in the Gulf of Mexico oil rig explosion.

Recently, the widows joined other family members of the Deepwater victims in sending Chairman Conyers and Congressman Melancon a [letter in support of the SPILL Act](#) .

The eight family members who signed the letter wrote, **“No amount of money can compensate us for the loss of our loved ones, but your bill allows for the recovery of more nearly adequate damages when a wrongful death occurs on the high seas. We applaud you and Congressman Charlie Melancon for introducing this important legislation. We urge Congress to act quickly and enact the SPILL Act into law.”**

The current liability regime surrounding the Gulf Coast oil disaster is exceedingly complex and outdated. In many cases, the prevailing laws were written in the mid-19th century to protect American merchant ship owners. The SPILL Act updates the liability system to provide fairness to victims by eliminating anomalies in the law.

Specifically, HR 5503 would:

- Amend the *Death on the High Seas Act* (dating from 1920) to permit recovery of non-pecuniary damages (e.g., pain and suffering and loss of care, comfort, and companionship) by the decedent’s family, as well as standardizing the geographic threshold for its application, and permitting surviving family members to bring suit directly rather than through a personal representative.

- Amend the Jones Act (dating from 1920) to permit recovery of non-pecuniary damages by the families of seamen who are killed.
- Repeal the outmoded *Limitation on Liability Act* (dating from 1851) which limits the liability of vessel owners to the value of the vessel and its cargo.
- Clarify the class action rules so that impacted States can seek effective legal remedies in their own courts.
- Render unenforceable restrictions on disclosing information about offshore spills of oil and other pollutants.
- Strengthen bankruptcy rules to prevent corporations responsible for widespread damages under the Oil Pollution Act from seeking to sever their assets from the legal liabilities they owe to innocent victims.
- Apply these changes to pending and future legal claims.

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